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HOUSE BILL 547

46TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2003

INTRODUCED BY

Rhonda S. King

AN ACT

RELATING TO CRIMINAL LAW; TOLLING THE STATUTE OF LIMITATIONS
FOR CERTAIN PROSECUTIONS REGARDING CRIMINAL SEXUAL PENETRATION;
ENACTING A NEW SECTION OF CHAPTER 30, ARTICLE 1 NMSA 1978.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of Chapter 30, Article 1 NMSA
1978 is enacted to read:

"[NEW MATERIAL] CRIMINAL SEXUAL PENETRATION-- TOLLING OF
STATUTE OF LIMITATIONS. --

A. When DNA evidence is available and a suspect has
not been identified, the applicable time period for commencing
a prosecution pursuant to Section 30-1-8 NMSA 1978 shall not
commence to run for an alleged violation of Subsection D, E or
F of Section 30-9-11 NMSA 1978 until a DNA profile is matched
with a suspect.

underscored material = new
[bracketed material] = del etc

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B. As used in his section, "DNA" means deoxyribonucleic acid. "

Section 2. APPLICABILITY. --The provisions of this act are applicable to an alleged violation of Subsection D, E or F of Section 30-9-11 NMSA 1978 for which the applicable time period for commencing a prosecution, as provided in Section 30-1-8 NMSA 1978, has not expired as of July 1, 2003.

Section 3. EFFECTIVE DATE. --The effective date of the provisions of this act is July 1, 2003.

underscoring material = new
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